

NANCY WINPIGLER SHOEMAKER, *

Plaintiff, *

vs. *

CHARLES MELVIN SHOEMAKER, * IN THE

Defendant. * CIRCUIT COURT

* * * * *

CHARLES MELVIN SHOEMAKER, * FOR

Counter Plaintiff * FREDERICK COUNTY

vs. *

NANCY WINPIGLER SHOEMAKER, *

Counter Defendant. * EQUITY NO. 28407

* * * * *

AMENDED COUNTERCLAIM FOR DECLARATORY RELIEF

Charles Melvin Shoemaker, Counter Plaintiff by James H. Clapp, his attorney, respectfully represents unto this Honorable Court:

1. That on February 1, 1979, Nancy Winpigler Shoemaker, also known as Nancy Winpigler, filed her Amended Bill for Partition and Sale of Real Estate setting forth that she and the Defendant were unmarried and are owners in fee simple, as tenants in common, of Lot 2 and Lot 18, Deer Spring Farms, as more particularly described in her amended petition.

2. That the Defendant and Counter Plaintiff has filed his amended Answer to said Amended Bill of Complaint and therein has averred that the Plaintiff and Counter Defendant, Nancy Winpigler, is not entitled to the relief she prays, but on the contrary, the Defendant and Counter Plaintiff ought to have relief in the premises for the reasons as set forth in this Amended Counterclaim.

3. That at the time Charles Melvin Shoemaker and Nancy Winpigler purchased Lot 18, Deer Spring Farms, they also purchased